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19

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN JOSE DIVISION

23 ACER, INC., ACER AMERICA  
24 CORPORATION AND GATEWAY, INC.,  
Plaintiffs,  
25

vs.

26 TECHNOLOGY PROPERTIES LIMITED,  
PATRIOT SCIENTIFIC CORPORATION,  
and ALLIACENSE LIMITED,

Defendants.

27 Case Nos. 5:08-cv-00877 JF; 5:08-cv-00882  
JF; 5:08-cv-05398 JF  
**ORDER APPROVING**  
**STIPULATION REGARDING CASE**  
**SCHEDULE**

The Hon. Jeremy Fogel

28 HTC CORP. AND HTC AMERICA, INC.

Plaintiffs,

vs.

TECHNOLOGY PROPERTIES LIMITED,  
PATRIOT SCIENTIFIC CORPORATION,  
and ALLIACENSE LIMITED,

Defendants.

STIPULATION RE: CASE SCHEDULE

Case Nos. 5:08-cv-00877 JF; 5:08-cv-00822 JF;  
5:08-cv-05398 JF

1 BARCO, N.V., Plaintiff,  
2 vs.  
3 TECHNOLOGY PROPERTIES LIMITED,  
4 PATRIOT SCIENTIFIC CORPORATION,  
and ALLIACENSE LIMITED,  
5 Defendants.  
6

7 WHEREAS, Plaintiffs Acer, Inc., Acer America Corporation, and Gateway, Inc.; HTC  
8 Corp. and HTC America, Inc.; and Barco, N.V. (collectively, "Plaintiffs") filed complaints  
9 against Defendants Technology Properties Limited ("TPL"), Patriot Scientific Corporation  
10 ("Patriot"), and Alliacense Limited (collectively, "Defendants") for declaratory judgment of  
11 patent noninfringement and invalidity of U.S. Patent Nos. 5,809,336 ("the '336 patent"),  
12 5,784,584 ("the '584 patent"), 5,440,749 ("the '749 patent"), 5,530,890 ("the '890 patent"); and  
13 6,598,148 B1 ("the '148 patent");

14 WHEREAS, the parties are scheduled to exchange Preliminary Claim Constructions and  
15 Extrinsic Evidence per Patent L.R. 4-2 on May 11, 2009;

16 WHEREAS, the parties have agreed to extend the deadline for exchanging their  
17 Preliminary Claim Constructions and Extrinsic Evidence per Patent L.R. 4-2 to May 18, 2009;

18 WHEREAS, on May 1, 2009, Plaintiffs Acer, Acer America, Gateway, HTC, and HTC  
19 America filed motions to stay this action;

21 WHEREAS, there is a hearing currently scheduled on Plaintiffs' motions on June 5, 2009;

22 WHEREAS, the parties have agreed to move the hearing date on Plaintiffs' motions to  
23 June 12, 2009;

24 IT IS HEREBY STIPULATED THAT:

25 (1) The parties have up to and including May 18, 2009 to exchange Preliminary Claim  
26 Constructions and Extrinsic Evidence per Patent L.R. 4-2;

27 (2) The hearing on Plaintiffs' motions to stay will be moved from June 5, 2009 to June  
28 12, 2009;

STIPULATION RE: CASE SCHEDULE

Case Nos. 5:08-cv-00877 JF; 5:08-cv-00822 JF;  
5:08-cv-05398 JF

(3) The parties have up to and including June 12, 2009 to file a Joint Claim Construction and Prehearing Statement pursuant to Patent L.R. 4-3;

(4) Defendants have up to and including May 22, 2009 to file their Opposition to Plaintiffs' motions to stay; and

(5) Plaintiffs have up to and including May 29, 2009 to file their Replies in support of their motions to stay.

Dated: May 11, 2009

K&L GATES LLP

By: /s/ Timothy Paar Walker  
Timothy Paar Walker

Attorneys for Plaintiffs  
ACER, INC., ACER AMERICA  
CORPORATION AND GATEWAY, INC.

Dated: May 11, 2009

FARELLA BRAUN & MARTEL LLP

By: /s/ John L. Cooper  
John L. Cooper

**Attorneys for Defendants  
TECHNOLOGY PROPERTIES LIMITED  
and ALLIACENSE LIMITED**

Dated: May 11, 2009

KIRBY NOONAN LANCE & HOGE

By: /s/ Charles T. Hoge  
Charles T. Hoge

Atorneys for Defendant  
**PATRIOT SCIENTIFIC CORPORATION**

Dated: May 11, 2009

NIXON PEABODY LLP

By: /s/ Ronald Lopez  
Ronald Lopez

Attorneys for Defendants  
**TECHNOLOGY PROPERTIES LIMITED** and  
**ALLIACENSE LIMITED**

Dated: May 11, 2009

WHITE & CASE LLP

By: /s/ Jennifer Yokoyama  
Jennifer Yokoyama

1  
2 Attorneys for Plaintiffs  
3 HTC CORPORATION and HTC AMERICA,  
4 INC.  
5

6 Dated: May 11, 2009  
7  
8

BAKER & MACKENZIE

9 By: /s/ Edward K. Runyan  
10 Edward K. Runyan  
11

12 Attorneys for Plaintiff  
13 BARCO, N.V.  
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15 PURSUANT TO STIPULATION IT IS SO ORDERED:  
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18 Dated: 5/13/09  
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23 The Honorable Jeremy Fogel  
24 United States District Court Judge  
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